

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14568 of 2019

=====

M/S J.M.G. Steel (P) Ltd. Near Industrial Area, Fathua, Patna, consumer No. F- 5179 through its Managing Director, Gopi Chand goenka, S/o Late Mussadi Lal Goenka, resident of 2A, Durga Garden, Chhaju Bagh, T.N. Banerjee Lane, P.S. Gandhi Maidan, Distt. Patna.

... .. Petitioner/s

Versus

1. The Bihar State Power Holding Co. Ltd. through its Chairman cum Managing Director, Bihar, Patna.
2. The South Bihar Power Distribution Company Limited Through its Managing Director, Bihar Patna.
3. The General Manager (Revenue), South Bihar Power Distribution Company Limited, Vidyut Bhawan, Bihar, Patna.
4. The Electrical Superintending Engineer, Electric Supply Circle, Patna.
5. The electrical Executive Engineer, H.T. Cell, South Bihar Power Distribution Company Limited, Vidyut Bhawan, Patna.
6. The Assistant Electrical Engineer, Electric Supply Sub- Division, Fathua, Patna.
7. The Chairperson, consumer Grievance Redressal Forum, Vidyut Bhawan- II, Patna.
8. The Chief Engineer (Commercial), South Bihar Power Distribution Company Limited, Patna.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr. Ashok Kumar Sinha, Sr. Advocate Mr. Deeyam Verma, Advocate Mr. Prashant Kashyap, Advocate Mr. Sanjeet Kumar Singh, Advocate
For the Respondent/s	:	Mr. Vinay Kirti Singh, Sr. Advocate Mr. Vijay Kumar Verma, Advocate Mr. Akhileshwar Singh, Advocate

=====

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL JUDGMENT



(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 15-12-2022

As prayed for, The Chief Engineer (Commercial), South Bihar Power Distribution Company Limited, Patna. is impleaded as party respondent No. 8.

Registry to make necessary correction in the cause title, both on the digital as well as physical files.

Petitioner has prayed for the following relief(s):

“i. For issuance of writ of certiorari thereby quashing and setting aside the order dated 26/11/2018 passed by the court of Consumer Grievance Redressal Forum SBPDCL, Vidyut Bhawan -II, Patna in registered case no. 36/2010 dated 20/8/2010 u/s 42(s) of the Electricity Act, 2003 as contained in memo no. 1933 dated 26/12/2013 whereby and whereunder the learned Forum has dismissed the petitioner's complaint case on ground of default in submission of records in an arbitrary and perfunctory manner without correctly appreciating the records of the present case.

ii. For consequently direction upon the respondents for recasting of the disputed amount of energy bills lying in disputed state since last several years despite repeated requests by the petitioner.

iii. For alternatively remanding the case to the respondent no. 7 for adjudication of the dispute with regard to the energy bills on its



own merit without being prejudiced with the pendency of the certificate case no. 199/12-13.

iv. For grant of any other relief(s) which the petitioner may be entitled to in the facts and circumstances of the present case.”

Learned senior advocate for the petitioner Shri Ashok Kumar Sinha states that petitioner be permitted to approach respondent No. 8, namely The Chief Engineer (Commercial), South Bihar Power Distribution Company Limited, Patna, venting out the grievances, subject-matter of the present petition.

Shri Vinay Kirti Singh, learned senior advocate for the respondents, states that upon receipt of such representation, the authority shall take appropriate action in accordance with law expeditiously and preferably within a period of three months.

Statement accepted and taken on record.

In view of the same, petition is not pressed any further.

Liberty reserved to the petitioner to take recourse to such other remedies as are otherwise available in accordance with law.

All questions of law and fact are left open.



Petition is disposed of in the aforesaid terms.

Interlocutory Application(s), if any, shall stand disposed of.

(Sanjay Karol, CJ)

(Partha Sarthy, J)

K.C.Jha/-DKS

AFR/NAFR	
CAV DATE	
Uploading Date	19.12.2022
Transmission Date	

